

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ELAINE L. CHAO, Secretary of Labor,)
United States Department of Labor,)
Plaintiff,) CIVIL ACTION
v.) File No.: 2:08-CV-243
BELHAR, LLC doing business as HILTON)
GARDEN INN, a Corporation, B & M BEST) JUDGE JOHN D. HOLSCHUH
CONSULTING COMPANY, a Corporation,) MAGISTRATE JUDGE TERENCE P. KEMP
and MARIA ULAJ,)
Defendants.)

DECLARATION OF DANIEL A. BROWN

I, Daniel A. Brown, pursuant to 28 U.S.C. §1746, declare and state as follows:

1. I make this Declaration upon my personal knowledge of the factual circumstances occurring in this matter.
2. I am employed as an Assistant United States Attorney in the Criminal Division of the Office of the United States Attorney for the Southern District of Ohio.
3. The Federal Bureau of Investigation; United States Department of Homeland Security, Office of Immigration and Customs Enforcement; United States Department of Labor, Office of Inspector General; and the Internal Revenue Service, Office of Criminal Investigations, along with our Office and the United States Department of Justice, Civil Rights Division, are involved in an ongoing joint investigation of B & M Best Consulting Company and Maria Ulaj regarding possible criminal violations of 18 U.S.C. §§ 371 (conspiracy), 1589 and 1592 (human trafficking offenses), and 1956 (money laundering); 8 U.S.C. § 1324 (immigration offenses); and 26 U.S.C. § 7206 (false tax returns).

4. The criminal investigation and potential prosecution arise from essentially the same facts and circumstances present in the instant civil action pending before this Court.

5. Our office has requested the Office of the Solicitor, United States Department of Labor, to seek a stay of the civil enforcement action, including discovery, pending completion of the criminal investigation and prosecution. A stay of this civil matter is necessary to avoid any interference with or infringement upon the criminal enforcement process which could arise from a parallel civil enforcement action.

6. The undersigned is not aware of any competing interests in the civil action which would weigh against this Court invoking the strong policy of law favoring the stay of civil actions until completion of the pending criminal investigation and potential prosecution.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of May, 2008.

GREGORY G. LOCKHART
United States Attorney



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